

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: Agriculture Committee

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BILL: SB 2378

INTRODUCER: Senator Geller

SUBJECT: Agricultural Land/Tax Assessment

DATE: March 15, 2006

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Akhavein	Poole	AG	<b>Pre-meeting</b>
2.	_____	_____	CA	_____
3.	_____	_____	GA	_____
4.	_____	_____	WM	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

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## I. Summary:

This bill revises provisions governing the classification of land as agricultural for the purpose of tax assessment. It provides that construction of a dwelling on part of agricultural lands does not in itself preclude agricultural classification. It also prohibits agricultural classification of land diverted to nonagricultural use as evidenced by issuance of a local building permit for a nonagricultural facility on platted land.

This bill amends section 193.461 of the Florida Statutes.

## II. Present Situation:

The Florida Legislature recognized that expanding urban development drives up land values, which in turn drives up a farmer's property taxes. This sometimes makes agriculture economically unviable and forces farmers to sell their land to developers, causing further spread of development and the loss of irreplaceable natural resources and green space.

In 1959, the Legislature created a separate classification for agricultural land that provided taxation on agriculture and forestry land that makes it economically possible to continue such usage. The "Greenbelt Law" was enacted to help preserve farmland and to slow down the rate of development. This law established agriculture as a separate class of property to be taxed on the agricultural value of the land instead of on its value for development. County property appraisers are directed by s. 193.461, F.S., to classify annually all lands as either agricultural, lands which must be used primarily for bona fide agricultural purposes, or as nonagricultural.

**III. Effect of Proposed Changes:**

**Section 1.** Amends s. 193.461, F.S., to revise provisions governing the classification of land as agricultural for the purpose of tax assessment. Provides that construction of a dwelling on part of lands used for agricultural purposes does not in itself preclude agricultural classification. Prohibits agricultural classification of land diverted to nonagricultural use as evidenced by issuance of a local building permit for a nonagricultural facility on platted land.

**Section 2.** Provides that this act shall take effect July 1, 2006.

**IV. Constitutional Issues:****A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

Indeterminate.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

## **VIII. Summary of Amendments:**

None.

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This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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